

II. Claims 1, 3-6, 10, 11 and 13-22 Define Patentable Subject Matter

The Final Office Action rejects claims 1, 3-6, 10, 11 and 13-22 under 35 U.S.C. §102(b) over U.S. Patent Application Publication No. 6,231,039 to Chung. This rejection is respectfully traversed.

Chung does not teach or suggest a substrate-compiling device usable to compile a number of substrates, including an input path usable to receive a substrate to be compiled, the input path defining a process direction for the substrate, a compiler platform usable to receive the substrate to be compiled from the input path and to compile the received substrate into a set of at least one substrate, at least one gate usable to direct the received substrate from the input path to the compiler platform, and a stack platform positioned below the compiler platform usable to receive the compiled set of at least one substrate, wherein the compiler platform includes a first shelf member, and a second shelf member, wherein the first and second shelf members define a surface on which the received substrate is compiled onto, the first and second shelf members movable away from each other along a shelf-moving direction having a perpendicular translation component to the process direction of the substrate to allow the compiled set of at least one substrate to drop to the stack platform, as recited in claim 1.

Chung also fails to teach or suggest a method for compiling a substrate into a set of at least one substrate, including receiving the substrate at an input of a substrate-compiling device, the substrate traveling along a process direction, directing the received substrate onto a compiler platform that includes a first shelf member and a second shelf member that define a compiling surface, compiling the received substrate and other substrates into a compiled set of at least one substrate, and moving the first and second shelf members away from each other along a shelf-moving direction having a translation component that is perpendicular to the process direction to allow the compiled set of at least one substrate to drop onto a stack platform that is positioned below the compiler platform, as recited in claim 11.

Chung discloses a sheet post-processing apparatus 30 having upper and lower trays 33 and 34. In particular, Chung teaches that a sheet passes through a conveyor 31 through an outlet 32 to the upper tray 33, from which it descends to the lower tray 34. The upper tray 33 includes a pair of left and right members with projections 33a and 33b. The tray members are moved horizontally by a transmission unit 37 that includes upper motors 35 for moving a pulley-driven belt 45 along support bars 41 and 42. The projections 33a and 33b on the upper tray 33 travel along the support bars 41 and 42, respectively. See col. 4, lines 6-44 and Figs. 3-5 of Chung.

Claims 1 and 11 both recite movement of “the first and second shelf members away from each other along a shelf-moving direction having a translation component that is perpendicular to the process direction” of the descending substrate. Chung teaches that the sheet passes from the conveyor 31 through the outlet 32, which are both substantially at the same relative elevation as the upper tray 33. Thus, Chung teaches the sheet traveling in a conveyed direction parallel with the movement of the upper tray members, which is contrary to Applicants’ claimed features. These reasons apply by extension to dependent claims 3-6 and 13-22 based on their dependence from claims 1 and 11, respectively.

A claim must be anticipated for a proper rejection under §102(a), (b) and (e). This requirement is satisfied “only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” See MPEP §2131. Applicants respectfully submit that the Final Office Action does not satisfy this requirement with Chung.

For at least these reasons, Applicants respectfully assert that the independent claims are patentable over the applied reference. The dependent claims are likewise patentable over the applied reference for at least the reasons discussed, as well as for the additional features they recite. Consequently, all the claims are in condition for allowance. Thus, Applicants respectfully request that the rejection under 35 U.S.C. §102 be withdrawn.

III. Conclusion

In view of the foregoing, Applicants respectfully submit that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further is desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the telephone number listed below.

Respectfully submitted,



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